

**REMARKS**

Favorable reconsideration and allowance of the present patent application are respectfully requested in view of the foregoing amendments and the following remarks. Claims 1 – 20 are pending in the application.

**Information Disclosure Statement**

Applicant notes with appreciation the Examiner's consideration of, and making of record, the documents submitted with the Information Disclosure Statements filed on August 15, 2002 and November 25, 2002.

Applicant notes with appreciation the Examiner's consideration of, and making of record, the documents submitted with the Information Disclosure Statements filed on April 27, 2000. Applicant also notes the Examiner has indicated one (1) document (ISO/IEC 13818-2) was missing. Applicant has enclosed another copy of this document and respectfully requests the Examiner to acknowledge consideration of this document identified in the Information Disclosure Statement filed April 27, 2000 by initialing the PTO-1449 form for this document and returning a copy of the initialed form to the undersigned.

**Drawings**

Figures 1–3 were objected to because of the informalities identified in the Office Action. The separately submitted Request for Approval of Drawing Changes addresses

these objections. Accordingly, the Applicant respectfully requests the Examiner to reconsider and withdraw this objection.

### **Specification Informalities**

The specification was objected to because of informalities. This Amendment addresses this objection by correcting the noted informalities in the specification. Accordingly, withdrawal of this objection is respectfully requested.

### **Allowable Subject Matter**

Applicant notes with appreciation the indication on page 6 of the Office Action that claim 18 would be allowable if rewritten in independent form including all of the limitations of the base claim and any intervening claims. However, Applicant submits this is not necessary in view of the following remarks.

### **35 U.S.C. § 102 & 103 Rejections**

Claims 1 – 17 and 19 were rejected under 35 U.S.C. § 102(b) as allegedly being anticipated by the prior art described in the application ("PAA"). Applicant respectfully traverses this rejection for the following reasons.

Regarding claim 1, the Examiner alleges that the PAA teaches all the claimed features of Applicant's claimed combinations. Specifically, the Examiner relies on page 3, lines 21-28 the present specification, (which follows) as teaching the features of claim 1.

With the foregoing structure, the conventional image coding apparatus and image decoding apparatus can identify the coding mode of the VOP data only after it analyzes the coding type information contained in the VOP header information in the coded bit stream. As a result, although the coding side codes the entire VOP data in such units as VOL, GOV or the like of the object using only the intra coding, the decoding side must analyze the header information of the individual VOPs to identify the coding mode applied to the VOPs.

However, in contrast to the above-referenced conventional process, claim 1 recites "intra-coded indicator information indicating whether all images in a moving picture sequence are intra coded or not." In the above-referenced section, there is no disclosure or suggestion of at least "intra-coded indicator information", as recited in the claim. Accordingly, Applicant respectfully submits that since all features of Applicant's claimed combinations are not shown the PAA relied upon by the Examiner does not anticipate Applicant's claimed combinations as alleged by the Examiner.

Likewise, the Examiner has relied on page 3, lines 21-28 the present specification (recited above), as teaching the features of claim 17. However, once again page 3, lines 21-28 recite conventional structure and does not teach all the features of Applicant's claimed combinations. For example, claim 17 includes the feature of intra-coded indicator information being multiplexed into the coded signal. At least this feature is not taught or disclosed in the convention system described by the PAA.

As stated in MPEP § 2131, "[a] claim is anticipated only if each and every element as set forth in the claim is found, either expressly or inherently described, in a single prior art reference." *Verdegaal Bros. v. Union Oil Co. of California*, 2 USPQ2d

1051, 1053 (Fed. Cir. 1987). "The identical invention must be shown in as complete detail as is contained in the ...claim." *Richardson v. Suzuki Motor Co.*, 868 F.2d 1226, 1236, 9 USPQ2d 1913, 1920 (Fed. Cir. 1989). None of the references applied by the Examiner either expressly or inherently describe every feature of Applicant's claimed combinations as detailed in the foregoing arguments. Therefore, Applicant respectfully submits that the applied references do not anticipate Applicant's claimed combinations as alleged by the Examiner.

The remaining independent claims (i.e., claims 10 and 19) recite related subject matter to the above-identified independent claims, and are therefore allowable for reasons similar to those given above.

Additionally, the dependent claims are allowable at least by virtue of their dependency on the above-identified independent claims. See MPEP § 2143.01. Moreover, these claims recite additional subject matter, which is not suggested by the documents taken either alone or in combination.

### **CONCLUSION**

All objections and rejections raised in the Office Action having been addressed, it is respectfully submitted that the present application is in condition for allowance and such allowance is respectfully solicited. Should there be any outstanding matters that need to be resolved in the present application, the Examiner is respectfully requested to contact the undersigned below, to conduct an interview in an effort to expedite prosecution in connection with the present application.

Appln. No. 09/530,136

Attached hereto is a marked-up version of the changes made to the application by this Response.

If necessary, the Commissioner is hereby authorized in this, concurrent, and future replies, to charge payment or credit any overpayment to Deposit Account No. 02-2448 for any additional fees required under 37 C.F.R. §§ 1.16 or 1.17; particularly, extension of time fees.

Respectfully submitted,

BIRCH, STEWART, KOLASCH &, BIRCH, LLP

By: 

MKM/MEO/ndb

Mark E. Olds, Reg. No. 46,507  
P.O. Box 747  
(703) 205-8000  
Falls Church, VA 22040-0747

Attachment: Version with Markings to Show Changes Made

**VERSION WITH MARKINGS TO SHOW CHANGES MADE**

*On page 1 of the specification after the Title please insert the following.*

--BACKGROUND OF THE INVENTION--

*On page 1, line 7 of the specification please substitute the heading as follows.*

[TECHNICAL] FIELD OF THE INVENTION

*Please substitute following paragraph for the paragraph beginning on page 3, line 29.*

--Therefore, although the coding side codes the entire VOP data in the units like VOL or GOV of the object using only the intra coding, to achieve instantaneous access to a VOP at a desired time, or to carry out "frame skip control" for decimating image signal to be coded in accordance with the load of a decoder, the decoding side cannot identify the desired VOP to be accessed or the VOP to be decoded in the frame skip control until it recognizes the predictive structure and time information of the coded bit stream by analyzing the coded data of [the] all the VOPs. This presents a problem of making the decoding processing difficult and prolonging the decoding. --

*On page 4 of the specification, after the paragraph ending on line 8, please insert the following heading.*

--SUMMARY OF THE INVENTION--

*On page 4 line 29, please delete the following heading.*

[DISCLOSURE OF THE INVENTION]

*On page 9, line 25 of the specification please substitute the heading as follows.*

[BEST MODE FOR CARRYING OUT] DETAILED DESCRIPTION OF THE INVENTION

IN THE CLAIMS:

Please amend the claims as follows:

2. (Amended) The image decoding apparatus according to claim 1, wherein the moving picture sequence is a video object layer [consisting of] comprising moving image objects of given shapes.
3. (Amended) The image decoding apparatus according to claim 1, wherein the moving picture sequence is a video object plane group constituting a video object layer [consisting of] comprising moving image objects of given shapes.